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PaulHastings

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PAUL HASTINGS

5001

Paul Hastings, Jeffrey & Wolk LLP  
3379 Valley Centre Drive, San Diego, CA 92130  
Telephone 858-720-2500 / Facsimile 858-720-2555 / www.paulhastings.com

### FACSIMILE TRANSMISSION

From:	Facsimile	Telephone	Initials
Diana L. Bush, Ph.D., Esq.	(858) 720-2555	(858) 720-2885	DLB4

Client Name	Client Matter
Morbahn Thompson, Inc.	45198.00013.RCB

Date: December 16, 2003

Pages (with cover): 54

To:	Company/Office	Facsimile	Telephone
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	USPTO Comp Act Unit 1624	703 872-9306	703 308-9806

U. S. Patent Application No. 09/518,501  
NOVEL PHOSPHORUS-CONTAINING PRODRUGS  
Applicant: Elixia et al.  
Filing Date: March 3, 2000  
Ox Ref: 45198.00013.RCB

Attached hereto are the following documents for filing in the above patent application:

1. Fee Transmittal Sheet
2. Petition for Extension of Time & Response
3. Interview Summary
4. Executed Declaration of John C. Chabala Pursuant to 37 C.F.R. § 1.132

### CERTIFICATE OF TRANSMISSION (37 C.F.R. § 1.8)

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Paul, Hastings, Janofsky & Walker LLP  
3579 Valley Centre Drive, San Diego, CA 92130  
telephone 858-720-2500 / facsimile 858-720-2555 / www.paulhastings.com

Paul Hastings

**FACSIMILE TRANSMISSION**

**from:** Diana L. Bush, Ph.D., Esq. **facsimile:** (858) 720-2555 **telephone:** (858) 720-2885 **initials:** DLB4  
**client name:** Metabasis Therapeutics, Inc. **client matter number:** 45198.00013.RCE  
**date:** December 17, 2003 **pages (with cover):** 54

**to:** Examiner Thomas McKenzie, Ph.D.  
Art Unit 1624 **company/office:** USPTO **facsimile:** 703 746-3152 **telephone:** 703 308-9806

**comments:** Courtesy copy as per Examiner's request at the September 10, 2003 interview (Original faxed December 16, 2003).

U. S. Patent Application No. 09/518,501  
NOVEL PHOSPHORUS-CONTAINING PRODRUGS  
Applicant: Erion et al.  
Filing Date: March 3, 2000  
Our Ref: 45198.00013.RCE

Attached hereto are the following documents for filing in the above patent application:

1. Fee Transmittal Sheet
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**FACSIMILE TRANSMISSION**

**from:** Diana L. Bush, Ph.D., Esq. **facsimile:** (858) 720-2555 **telephone:** (858) 720-2885 **Initials:** DLB4

**client name:** Metabasis Therapeutics, Inc. **client matter number:** 45198.00013.RCE

**date:** December 16, 2003

**pages (with cover):** 56

54

**to:** Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
**company/office:** USPTO  
Group Art Unit  
1624  
**facsimile:** 703-872-9306  
**telephone:** 703-308-9806

**comments:**

U. S. Patent Application No. 09/518,501  
**NOVEL PHOSPHORUS-CONTAINING PRODRUGS**  
Applicant: Erion et al.  
Filing Date: March 3, 2000  
Our Ref: 45198.00013.RCE

Attached hereto are the following documents for filing in the above patent application:

1. Fee Transmittal Sheet
2. Petition for Extension of Time & Response
3. Interview Summary
4. Executed Declaration of John C. Chabala Pursuant to 37 C.F.R. § 1.132

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Paul Hastings

**FACSIMILE TRANSMISSION**

**from:** Diana L. Bush, Ph.D., Esq. **facsimile:** (858) 720-2555 **telephone:** (858) 720-2885 **initials:** DLB4

**client name:** Metabasis Therapeutics, Inc. **client matter** 45198.00013.RCE

**date:** January 26, 2004

**number:**

**pages (with cover):** 60 (61)

**to:** Examiner Mukund Shah **company/office:** USPTO **facsimile:** 703 308-4734 **telephone:** 703 308-4716  
 Art Unit 1624

**comments:** Copy of Response to Office Action mailed June 16, 2003, as originally fax-filed on December 16, 2003.

U. S. Patent Application No. 09/518,501

NOVEL PHOSPHORUS-CONTAINING PRODRUGS

Applicant: Erion et al.

Filing Date: March 3, 2000

Our Ref: 45198.00013.RCE

Attached hereto are the following documents for filing in the above patent application:

1. Copies of facsimile transmittal sheet, transmission report and USPTO auto-reply facsimile transmission report
2. Copy of Rec Transmittal Sheet
3. Copy of Petition for Extension of Time & Response
4. Copy of Interview Summary
5. Copy of Executed Declaration of John C. Chabala Pursuant to 37 C.F.R. § 1.132

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PTO/SB/17 (11-00)

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**FEE TRANSMITTAL  
for FY 2003**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$750.00)

**Complete if Known**

Application Number 09/518,501

Filing Date December 16, 2003

First Named Inventor Erion et al.

Examiner Name McK nzie, T.

Group Art Unit 1624

Attorney Docket No. 45198.00013.RCE

**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

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Number

50-2613

Deposit  
Account  
Name

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- 
- Under 37 CFR 1.16 and 1.17

- ☐
- Applicant claims small entity status. See
- 
- 37 CFR 1.27

Charge fee(s)

- 2.
- ☒
- Indicated below:

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid
1001	2001	750	375	Utility filing fee	
1002	2002	330	165	Design filing fee	
1003	2003	520	260	Plant filing fee	
1004	2004	750	375	Reissue filing fee	
1005	2005	160	80	Provisional filing fee	

SUBTOTAL (1) (\$0)

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
1	-20** =	X	0
Independent Claims	1	-3** =	0
Multiple Dependent			0

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description
1202	2202	18	9	Claims in excess of 20
1201	2201	84	42	Independent claims in excess of 3
1203	2203	280	140	Multiple dependent claim, if not paid
1204	2204	84	42	** Reissue independent claims over original patent
1205	2205	18	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$0)

\*\*or number previously paid, if greater. For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid
105	205	130	65	Surcharge - late filing fee or oath	
127	227	50	25	Surcharge - late provisional filing fee or cover sheet	
139	139	130	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	\$475.00
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Statement	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$475.00)

**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)

Diana L. Bush, Ph.D., Esq.

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Date

12/16/03

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